

FILED

Tuan V. Pham  
1209 N Glenarbor St  
Santa Ana, CA 92706  
Phone: 714-697-8345,  
Email: Tuanvp@Yahoo.Com  
Plaintiff, In Pro Se

2012 OCT 15 PM 1:17

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

IN THE UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Tuan V. Pham,  
Plaintiff,  
v.  
LVNV Funding, LLC.,  
The Brachfeld Law Group, P.C.,  
Erica L. Brachfeld,  
Defendants.

CASE NO.:

**SACV 12-01776**

**FCRA AND FCDPA COMPLAINT.**

**DEMAND FOR JURY TRIAL.**

**COMPLAINT**

- This is an action for damages brought from violations of the Fair Credit Reporting Act (FCRA) 15 U.S.C. §1681 *et seq* and the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. § 1692(e)(2), 1692f, 1692(f)(1) and 15 U.S.C. §2042g(b).

**PARTIES**

- Plaintiff, Tuan V. Pham, is a natural person and is a resident of the State of California.

- 1           3. Upon information and belief, Defendant, LVNV Funding, LLC. is a debt collector  
2           as that term is defined by *Cal. Civ. Code §1788.2(c)*. LVNV Funding, LLC.  
3           employs and/or retains services of The Brachfeld Law Group, and Ms. Erica L  
4           Brachfeld, as debt collectors to illegally harass and attempt to collect a debt which  
5           does not belong to Plaintiff.  
6

7                                   **PRELIMINARY STATEMENT**

- 8           4. This is an action for damages and injunctive relief brought by Plaintiff against  
9           Defendants for violations of the Fair Debt Collection Practices Act (FDCPA) 15  
10          U.S.C. § 1692f, Fair Debt Collection Practices Act (FDCPA) 15 USC § 1692f(1)  
11          and 15 U.S.C. §2042g(b), Fair Credit Reporting Act (FCRA) 15 U.S.C. §1681n  
12  
13          5. Upon belief and information, Plaintiff contends that many of these practices are  
14          widespread for some or all of the Defendants. Plaintiff intends to propound  
15          discovery to Defendants identifying these other individuals who have suffered  
16          similar violations.  
17  
18          6. Plaintiff contends that the Defendants have violated the above Federal laws by  
19          repeatedly harassing Plaintiff in attempts to collect an alleged debt which does not  
20          belong to Plaintiff.

21                                   **JURISDICTION**

- 22          7. The jurisdiction of this Court is conferred by 15 U.S.C. §1681p and supplemental  
23          jurisdiction exists for the state law claims pursuant to 28 U.S.C. §1367.  
24  
25          8. Venue is proper pursuant to 28 U.S.C. §1391b. Venue in this District is proper in  
26          that the Plaintiff resides here and the Defendants transact business here.  
27  
28

**FACTUAL ALLEGATIONS**

9. On June 8<sup>th</sup>, 2012, Plaintiff pulled his credit report and realized there was an account reported illegally to his credit bureau, Experian, TransUnion and Equifax. See Exhibit P1.
10. Upon research, Plaintiff discovered that Defendants filed a lawsuit for breached of contract against Plaintiff on August 25<sup>th</sup>, 2011 in the Superior Court of California, Orange County.
11. On or about July 5<sup>th</sup>, 2012, Plaintiff sent a Request for Validation of Debt to Defendants by Certified Mail, allowing Defendants an opportunity to cure, giving Defendants until July 18<sup>th</sup>, 2012.
12. Defendants never lent any money to Plaintiff and Plaintiff believes there is no evidence to the contrary.
13. Plaintiff never signed a Note or Contract, exhibiting all the necessary requirements of a contract by operation of law for the debt allegedly owed to the Defendants and Plaintiff believes there is no evidence to the contrary.
14. Defendants has failed to disclose origin of any loan or money lent and Plaintiff believes there is no evidence to the contrary.
15. Defendants has failed to disclose history or provenance of any loan or money lent and Plaintiff believes there is no evidence to the contrary.
16. Defendants has never produced evidence that they loaned United States Dollars as required by Federal Law and United States Treasury Regulations. This failure or omission or even negligent behavior is an illegal act, **a felony**. Plaintiff never saw

1 any money and is unaware of any contract for loan proceeds that exists between  
2 Plaintiff and Defendants and Plaintiff believes there is no evidence to the contrary.

3  
4 **COUNT I**

5 **VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681**

6 **WILLFUL NON-COMPLIANCE BY DEFENDANTS**

7 17. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

8 18. Defendants are furnishers of information within the meaning of the  
9 FCRA, 15 U.S.C. §1681s-2.

10 19. Defendants willfully violated the FCRA. Defendants' violations  
11 include, but are not limited to, the following:

12 (a) Defendants willfully violated FCRA, 15 U.S.C. §1681n by reporting an illegal  
13 debt to Plaintiff's consumer report.

14  
15  
16 WHEREFORE, Plaintiff demands judgment for damages against each Defendant, for  
17 statutory damages, and punitive damages that would include any adverse ruling in state court,  
18 pursuant to 15 U.S.C. § 1692, and attorney's fees and costs, pursuant to 15 U.S.C. §1681n.  
19

20  
21 **COUNT II**

22 **VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681**

23 **NEGLIGENT NON-COMPLIANCE BY DEFENDANTS**

24  
25 20. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

26 21. Defendants are furnishers of information within the meaning of the  
27 FCRA, 15 U.S.C. §1681s-2.  
28

1 22. Defendants negligently violated the FCRA. Defendants' violations  
2 include, but are not limited to, the following:

3  
4 (a) LVNV Funding, LLC. negligently violated 15 U.S.C. §1681b(f)  
5 by obtaining Plaintiff's consumer report without a permissible purpose as defined  
6 by 15 U.S.C. §1681b.  
7

8 WHEREFORE, Plaintiff demands judgment for damages against Defendants for actual  
9 damages, and attorney's fees and costs, pursuant to 15 U.S.C. 1681o.

10  
11 **COUNT III**  
12 **VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT (FDCPA),**  
13 **15 U.S.C. §1692 BY DEFENDANTS.**

14 23. Plaintiff alleges and incorporates the information in paragraphs above.

15 24. Plaintiff is a consumer within the meaning of the FDCPA, 15 U.S.C. §1692a(3)

16 25. Defendants are debt collectors within the meaning of the FDCPA, 15 U.S.C.  
17 §1692a(6).  
18

19 26. Defendants violated the FDCPA. Defendants' violations include, but are not  
20 limited to, the following:

21 (a) Defendants violated 15 U.S.C. §1692e(2) by falsifying the character, amount  
22 and legal status of the alleged debt.

23 (b) Defendants violated 15 U.S.C. §1692f by conducting an unfair and  
24 unconscionable means to collect or attempt to collect the alleged debt that does  
25 not belong to consumer. Thereby Defendants defrauded the court and Plaintiff.  
26  
27  
28

1 (c) Defendants violated 15 U.S.C. §1692f(1) by the collection of any amount  
2 (including any interest, fee, charge, or expense incidental to the principal  
3 obligation) unless such amount is expressly authorized by the agreement  
4 creating the debt or permitted by law.

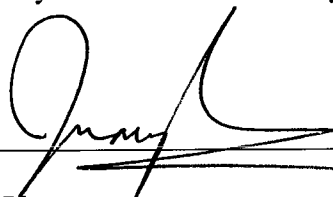
5 (d) Defendants continued collection activity after receiving notice of dispute, and  
6 failed to provide written validation of debt before resuming collection activities,  
7 in violation of 15 U.S.C. §2042g(b).  
8

9  
10 WHEREFORE, Plaintiff demands judgment for damages against each Defendant, for  
11 statutory damages, and punitive damages that would include any adverse ruling in state court,  
12 pursuant to 15 U.S.C. § 1692, and attorney's fees and costs, pursuant to 15 U.S.C. §1681n.  
13  
14  
15

16 **DEMAND FOR JURY TRIAL**

17 Plaintiff hereby demands a trial by jury of all issues so triable as a matter of law.

18 Respectfully submitted this 10<sup>th</sup> day of October, 2012

19  
20  
21 

22 Tuan V. Pham

23 1209 N Glenarbor St

24 Santa Ana, CA 92706

25 714-697-8345, Tuanvp@Yahoo.Com  
26  
27  
28

**Exhibit P1:**

TUAN V PHAM  
Report As Of: 6/8/2012

**Credit Cards, Loans & Other Debt**

Here you will find specific information on each account you opened, including current status and any past due information. Positive credit information remains on your report indefinitely. Creditor contact information has been provided in order to make it easier for you to resolve any issues.

LVNV FUNDING LLC				Experian	Equifax	TransUnion																														
<div><div>X</div><div>Potentially Negative</div></div> <div>800-363-3115</div> <div>PO BOX 740281</div> <div>HOUSTON, TX 77274</div>	Account Name	LVNV FUNDING LLC		LNVN FUNDING LLC	LNVN FUNDING																															
	Account #	418581280833XXXX		418581280833XXXX	41858128XXXX																															
	Account Type	Debt Purchase		Open Account	Open account																															
	Balance	\$25,947.00		\$25,947.00	\$25,947.00																															
	Past Due	\$25,947.00		\$25,947.00	\$25,947.00																															
	Date Opened	5/1/2010		5/1/2010	5/19/2010																															
	Account Status	Closed		Closed	Open																															
	Mo. Payment																																			
	Payment Status	Seriously past due date / assigned to attorney, collection agency, or credit grantor's internal collection department		At least 120 days or more than four payments past due	Collection account																															
	High Balance Limit			\$19,978.00	\$19,978.00																															
Terms	1 Month																																			
Comments			COLLECTION ACCOUNT	Placed for collection																																
24/Mo Payment History																																				
	2010												2011												2012											
Month	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
Experian				KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD	KD
Equifax	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
TransUnion																																				

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input checked="" type="checkbox"/> ) TUAN V. PHAM	<b>DEFENDANTS</b> LVNV Funding, LLC. The Brachfeld Law, P.C. Erica L. Brachfeld
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) 1209 N. Glenarbor Street Santa, CA 92706 (714) 697-8345	Attorneys (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:35%; border: none;">           Citizen of This State             Citizen of Another State             Citizen or Subject of a Foreign Country         </td> <td style="width:15%; border: none; text-align: center;">           PTF DEF  <input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 1   <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2   <input type="checkbox"/> 3 <input type="checkbox"/> 3         </td> <td style="width:35%; border: none;">           Incorporated or Principal Place of Business in this State             Incorporated and Principal Place of Business in Another State             Foreign Nation         </td> <td style="width:15%; border: none; text-align: center;">           PTF DEF  <input type="checkbox"/> 4 <input type="checkbox"/> 4   <input type="checkbox"/> 5 <input type="checkbox"/> 5   <input type="checkbox"/> 6 <input type="checkbox"/> 6         </td> </tr> </table>	Citizen of This State  Citizen of Another State  Citizen or Subject of a Foreign Country	PTF DEF <input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 1  <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2  <input type="checkbox"/> 3 <input type="checkbox"/> 3	Incorporated or Principal Place of Business in this State  Incorporated and Principal Place of Business in Another State  Foreign Nation	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4  <input type="checkbox"/> 5 <input type="checkbox"/> 5  <input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State  Citizen of Another State  Citizen or Subject of a Foreign Country	PTF DEF <input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 1  <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2  <input type="checkbox"/> 3 <input type="checkbox"/> 3	Incorporated or Principal Place of Business in this State  Incorporated and Principal Place of Business in Another State  Foreign Nation	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4  <input type="checkbox"/> 5 <input type="checkbox"/> 5  <input type="checkbox"/> 6 <input type="checkbox"/> 6		

<b>IV. ORIGIN</b> (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): _____ <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
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<b>V. REQUESTED IN COMPLAINT:</b> JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.)	<b>CLASS ACTION under F.R.C.P. 23:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>MONEY DEMANDED IN COMPLAINT: \$</b> _____
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<b>VI. CAUSE OF ACTION</b> (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) FDCPA AND FRAUD COMPLAINT
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<b>VII. NATURE OF SUIT</b> (Place an X in one box only.)					
<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number:

SACV 12-01776 DOC (RNB)

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.



VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes  
 If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes  
 If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District: *	California County outside of this District; State, if other than California; or Foreign Country
ORANGE	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District: *	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District: *	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties  
 Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_

Date 10/10/2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge David O. Carter and the assigned discovery Magistrate Judge is Robert N. Block.

The case number on all documents filed with the Court should read as follows:

**SACV12- 1776 DOC (RNBx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☐ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

FOR OFFICE USE ONLY  
Central District of California

Tuan V. Pham

Plaintiff

v.

LVNV Funding, LLC., The Brachfeld Law Group,  
P.C., Erica L. Brachfeld

Defendant

SACV 12-01776 DOC(RNB) Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) LVNV FUNDING, LLC, P.C., Box 3038, Evansville, IN 47730

The Brachfeld Law Group, P.C.,  
880 Apollo Street, Ste 155, El Segundo, CA 90245

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Tuan V. Pham  
1209 N. Glenarbor St.  
Santa Ana, CA 92706

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

10/15/12

Dwayne Robert  
Signature of Clerk or Deputy Clerk



1146